

**REQUEST
FOR
CONTINUED EXAMINATION (RCE)
TRANSMITTAL**

Subsection (b) of 35 USC §132, effective on May 29, 2000, provides for continued examination of an utility or plant application filed on or after June 8, 1995.

See The American Inventors Protection Act of 1999 (AIPA).

| | |
|------------------------|----------------|
| Application Number | 09/806,558 |
| Filing Date | March 30, 2001 |
| First Named Inventor | Stefan SPIESS |
| Group Art Unit | 1651 |
| Examiner Name | C. Tate |
| Attorney Docket Number | 4271-30PRCERCE |

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

Note: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000 applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53(d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (April 11, 2000), which established RCE practice.

1. **Submission required under 37 C.F.R. § 1.114**

- a. ☐ Previously submitted
- i. ☐ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on. (Any unentered amendment(s) referred to above will be entered).
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on
- iii. ☐ Other
- b. ☐ Enclosed
- i. ☐ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☐ Other

2. **Miscellaneous**

- a. ☒ Suspension of action of the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of three (3) months. (Period of suspension shall not exceed three months; Fee under 37 C.F.R. § 1.17(l) required)
- b. ☐ Other

3. **Fees**

The RCE fee under 37 C.F.R. 1.17(e) is required by 37 C.F.R. 1.114 when the RCE is filed.

- a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No.: 03-2412.
- i. ☒ RCE fee required under 37 C.F.R. § 1.17(e)
- ii. ☒ Extension of time fee (37 C.F.R. §§ 1.136 and 1.17)
- iii. ☐ Small Entity Status is being claimed for this application.
- vi. ☐ Other
- b. ☒ Check in the amount of \$858.00 enclosed.
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

RECEIVED

JUL 28 2003

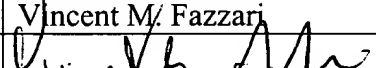
TECH CENTER 1600/2900

RECEIVED

JUL 22 2003

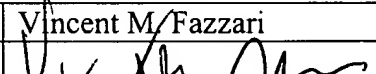
OFFICE OF PETITIONS

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

| | | | |
|-------------------|---|-----------------------------------|---------------|
| Name (Print/Type) | Vincent M. Fazzari | Registration No. (Attorney/Agent) | 26,879 |
| Signature |  | Date | July 17, 2003 |

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner For Patents, Mail Stop 313(c), P.O. Box 1450, Alexandria, VA 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on: July 17, 2003

| | | | |
|-------------------|---|------|---------------|
| Name (Print/Type) | Vincent M. Fazzari | Date | July 17, 2003 |
| Signature |  | | |

09/806,558
750.00
108.00

00000004

07/22/2003 KELLEY

01 FC:1801
02 FC:1202